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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

COMPANY ORIGINAL JURISDICTION

COMPNAY PETITION NO.1073 OF 2000

Nirav Trading and Investment
Co. Pvt. Ltd. ..... Petitioner.

Mrs. U.K.Shah i/by Mr. K.D.Shah for the petitioner.

No appearance for respondents.

CORAM : ANOOP V. MOHTA,J.

DATED : 12th July, 2007

P.C.

1. This is a petition by the company. It seeks recourse to the provision of voluntarily winding up. On 28th March, 2001, this Court has passed the following order:-

> . "This petition is by the Company which seeks recourse to the provisions of voluntary winding up. Audited balance sheets of the Company for the Financial Years ending 31st March, 1997, 31st March, 1998, and 31st March, 199 have been annexed to the petition as Exhibits "A", "B" and "C". At the meeting held on 6th September, 2000 a Resolution was passed by the Shareholders to wind up the business of the Company. In the circumstances, the company petition is admitted and it is directed to be advertised.
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> . The petition to be advertised in Free Press Journal, Janmabhoomi and Maharashtra Government Gazette. The petitioner to deposit a sum of Rs.2,000/- with the Prothonotary and Senior Master within a

period of four weeks from the date of default.

. Returnable on 29th June, 2001.

. Certified copy expedited."

2. Based upon that, the petitioner has also been advertised. The Affidavit dated 28th June, 2001 supports the same about the advertisements. The learned counsel appearing for the petitioner, further states that the Registrar of Company has already voluntarily wound up, the company.

3. Considering the fact that there are no objections of any kind, there is no appearance of any party.

4. The learned counsel, on instructions seeks to withdraw the present petition. In the background, the petition cannot permitted to be withdrawn.

5. On the contrary, the petition is allowed in terms of prayer clause (a) and (b).

6. No costs.

[ANOOP V. MOHTA, J.]